

**STETSON "SAVING GRACE" ELK GAME FARM
DECISION DOCUMENT**

**Columbia Falls, Montana
June 16, 1997**

PROPOSED GAME FARM APPLICATION

On January 27, 1997, Montana Fish, Wildlife & Parks (FWP) received an application for an elk breeding game farm from Jay and Tina Stetson, 3599 Sunny Lane Rd., Columbia Falls, MT. 59912. The game farm would occupy 15 acres and be located at the same address in NW1/4 of Section 24, Township 30N, Range 21 West. The Stetson application was accepted February 26, 1997 which initiated a 120-day review and decision period per laws and regulations governing the licensing of Montana game farms.

PROPOSED ACTION

The applicant proposes to raise or manage 15 to 20 elk for purposes of antler production and elk breeding. They will begin this herd with elk purchased from licensed game farms in Montana. The proposed elk farm will occupy land which now consists of essentially 15 acres of irrigatable pasture. The irrigated enclosure does not encompass any wetlands, intermittent or perennial streams, irrigation ditches, or open water. No trees are growing on the property.

Based on the original application and information provided by the applicants, they plan to do the following:

- a. Fence with 8' - 12.5 inch gauge tightlock wire with stays every 6 feet and with steel posts spaced at 20 foot intervals. The applicants have requested a waiver from the required additional 8' stays through the existing waiver process.
- b. Construct 2 interior fences for the purposes of managing elk and rest-rotation grazing system.
- c. Construct wooden quarantine facility within the exterior fence line with appropriate gate and design to meet Dept. of Livestock regulations.
- d. Supply game farm water from a well.

THE MONTANA ENVIRONMENTAL POLICY ACT PROCESS (MEPA)

Pursuant to MEPA, FWP is required to assess the impacts of the proposed action to the human environment. The Stetson application was accepted February 26, 1997 which initiated a 120-day review and decision period per laws and regulations governing game farms. FWP completed the Draft Environmental Assessment (EA) for the application and sent it out for a 21 day public

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review from, May 9 to June 2, 1997. Copies of the draft EA were sent to the Montana Departments of Environmental Quality, Environmental Quality Council, Livestock; Montana Historical Society; local and state libraries; state bulletin board; Flathead County Commissioners and Regional Development Office; local legislators, local newspapers; the Montana Environmental Information Center; individuals who request all state draft EA's, and the applicants. In addition, 13 postcards describing the proposed action and asking the recipient if they wanted a copy of the Draft EA, Final EA, and/or Decision Notice were sent to 4 adjoining landowners and various state and local wildlife or conservation organizations, and individuals who have requested game farm EA's in the past. Legal notices were published in the Daily Interlake and Hungry Horse News. Public notice was also included in FWP's regular News Releases sent May 14, 1997 to more than 150 organizations or individuals on our Region One mailing list. No public hearing was held. FWP sent additional copies of the draft EA to six individuals who returned postcards.

ISSUES IDENTIFIED IN THE DRAFT EA

The draft EA did not identify any significant environmental impacts which could not be mitigated through management practices or design. The proposed game farm will exclude white-tailed deer foraging use within the existing pasture. Because agricultural/suburban lands are presently abundant in this area, this impact is considered minor. There is no surface water within or immediately adjacent to the game farm which could be contaminated from runoff from the game farm. However, the proposed game farm site overlies a shallow large aquifer (8-10 feet below the surface). To reduce the potential for contamination, the applicant has agreed to use best management practices for disposal of animal wastes. Elk will be distributed across the 15 acres through use of interior fences on a year-round basis. Elk wastes will be distributed across the site for incorporation into the soil during the growing season. Burial of dead game farm animals on site would not be allowed with this game farm license.

Due to its location towards the center of the Flathead Valley, there is a relatively low possibility that wild animals such as native elk or black bears would come into contact with the game farm operation. However, mountain lions which do occasionally move into the Flathead River corridor could move through the area. Coyotes are very common to the proposed game farm site. Responsible management and adherence to FWP stipulations and regulations should reduce the risks of contact between wild game animals and game farm animals to an acceptable level.

SUMMARY OF PUBLIC COMMENTS

FWP received five written responses from individuals who oppose the proposed game farm and one response from the State Historic Preservation Office which indicated that there were no known historic or cultural sites located within the proposed game farm boundaries.

Reasons for the opposition included: 1. moral opposition to enclosing wild animals and antler production; 2. inevitable risk of disease transmission or genetic contamination from escaped animals; 3. potential risk of disease transmission via through-the-fence contact or by small mammals able to move under fences; 4. opposition to privatization of hunting; 5. potential

establishment of feral game populations; 6. concerns about proliferation of game farms and agency abilities to enforce regulations; 7. use of sportsperson license monies to administer and monitor this industry.

FWP RESPONSE TO COMMENTS

1. Moral issues: FWP does receive frequent moral opposition to game farms. However, game farms which go through the normal licensing process and which meet the standards, rules and regulations set for this industry, are legal in Montana. Moral issues are outside the scope of the EA process.

2. Ingress/Egress and Feral Populations: FWP believes that game farm fences which are constructed according to the existing standards or those of the waiver request will reduce the risk of ingress/egress of game animals or their predators to a minimal level. Game farm fences must be regularly inspected by the game farm owner or operator. FWP annually inspects game farms to insure fences are being properly maintained. All ingress of wild game animals or their predators must be reported. In addition, no trees are located on the Stetson game farm area and snow accumulation should not be expected to cause a chronic ingress/egress problem most years.

3. Risk of Disease Transmission: Both the FWP and Dept. of Livestock rules and regulations governing the movement, quarantine, disease testing, and reporting for game farms reduce the threats of disease transmission to wild animals to a minimum. We recognize that small mammals such as ground squirrels, skunks, bats, or weasels as well as most bird species can move across the game farm fence. At this time, most of these species are not considered significant game animal disease vectors.

4. Privatization: No hunting of elk would occur within the Stetson game farm.

5. Game Farm Proliferation and Enforcement: FWP is committed to implementing and enforcing the rules and regulations governing game farming in Montana as a major priority. Lower priority FWP activities may not get completed as the number of game farms increase in Montana.

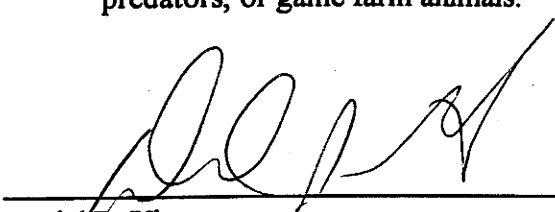
6. Other than the game farm application fees, FWP has no other source of funds to review, license, and inspect game farms.

THE DECISION AND STIPULATIONS

Licensed and properly run game farms are legal in Montana. However, the Licensees must comply with all game farm statutes and rules. After reviewing this application, the draft EA, and public comments, I approve issuing a license for a game farm for 1-20 elk with the following stipulations which were included in the Draft EA:

1. Storage of hay, feed, and salt away from exterior fences and within enclosed containers and buildings. No feeding of game farm animals along fence perimeter.

2. The use of generally accepted sanitation practices (or BMP's, Best Management Practices) of removing dead animals, composting fecal material and waste feed or removing it to an area not used by humans, domestic animals or wild animals in a manner where such waste material cannot contaminate ground or surface water. Examples of suitable sites would be a landfill. Due to shallow aquifer, burial of game farm animals on site is not allowed.
3. The regular inspection of the entire fence perimeter to insure its integrity. Adjustments in fence design or removal of snow may be necessary to maintain a minimum eight foot perimeter game-proof fence.
4. The licensee or manager must immediately report (within five (5) days) to FWP the ingress, and the reason for such ingress, of any of the following game animals or their predators (e.g. white-tailed or mule deer, elk, moose, mountain lion, black bear or grizzly bear, coyote, wolf?). This information will help both the applicants and FWP address such incidents and help insure that contact between wild and game farm animals is eliminated or kept to an acceptable minimum.
5. FWP reserves the right to require fence/gate modifications (such as but not limited to double fencing, increased height of fencing, or solid board panels) to those portions of fence should any problems with fence integrity occur or when previously constructed fence may prove inadequate to prevent the ingress or egress of game animals, ungulate predators, or game farm animals.



Daniel P. Vincent
Regional Supervisor

6/16/97
/Date

Jay and Tina Stetson
Applicants

Date

REF:stetdecn.wpd